S.B.Criminal Revision No.136/93

Dated:- 5.1.2007.

HON'BLE MR.JUSTICE G.S.SARRAF

Mr.Mridul Jain, for the petitioner.
Ms.S.G.Ojha, for the respondent.

Heard Mr.Mridul Jain,learned counsel for the petitioner and Mr.S.G.Ojha, learned counsel for the respondent and perused the judgment dated 23.1.1993 passed by the Special Judge, Family Court,Udaipur rejecting the application of the petitioner filed u/s 125 Cr.P.C.

In her application u/s 125 Cr.P.C., the petitioner Asha Devi has stated that the marriage ceremony was performed by Pandit Chandra Shekhar. However, in her statement before the court she stated that the marriage was performed by Pandit Chandra Shekhar and Pandit Shambhu Lal. She has also stated that no-one else was present at the time of marriage ceremony. Pandit Chandra Shekhar and Pandit Shambhu Lal have not been produced by her. The petitioner has also stated that after the marriage she lived with the respondent in Mohalla Mochiwara at Udaipur. No witness of that locality has been examined by her. Learned Fam ily Court has discussed the evidence in detail and thereafter it has come to the

conclusion that the petitioner Asha Devi has not been able to prove the fact of marriage. There is absolutely no reason for me to take a different view in the matter. The judgment of the learned Family Court is based on correct appreciatdion of facts and law and there is no ground for interference.

The revision petition stands dismissed accordingly.

(G.S.SARRAF),J.